GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public service – Agricultural Marketing Department – Vigilance Report No.1 (C.No.438/V&E/E1/2010) Dated:01.01.2015 – Allegation of irregularities in Engineering Wing of State Agriculture Marketing Department – Departmental Proceedings against Sri K.Harinath, Deputy Executive Engineer(M), Ananthapur and the then Deputy Executive Engineer (AM), Kadapa - Under Rule 20 of AP Civil Services (CC&A) Rules,1991 – Article of Charges – Issued.

AGRICULTURE AND CO-OPERATION(VIG-II) DEPARTMENT

G.O.RT.No. 702 **Dated: 01-10-2015.**
Read

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ORDER:-

1. It is proposed to hold an enquiry against Sri K.Harinath, Deputy Executive Engineer(M), Ananthapur and the then Deputy Executive Engineer (AM), Kadapa in accordance with the procedure laid down in Rule 20 of A.P.C.S. (CCA) Rules 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of Charges (Annexure-I). A Statement of imputations of misconduct or misbehaviour in support each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the article of charge is proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri K.Harinath, Deputy Executive Engineer(M), Ananthapur and the then Deputy Executive Engineer (AM), Kadapa is directed to submit within 15 days of the receipt of this order, a written statement of his defence.

4. Sri K.Harinath, Deputy Executive Engineer(M), Ananthapur and the then Deputy Executive Engineer (AM), Kadapa is further informed that an enquiry will be held only if the article of charge is not admitted. He should, therefore, specifically admit or deny the article of charge.

5. Sri K.Harinath, Deputy Executive Engineer(M), Ananthapur and the then Deputy Executive Engineer (AM), Kadapa is further informed that if he does not submit his written statement of defence on or before the date specified in Para 3 above, further action will be proceeded on the material available.

6. The attention of Sri K.Harinath, Deputy Executive Engineer(M), Ananthapur and the then Deputy Executive Engineer (AM), Kadapa is invited to Rule 24 of the A.P.C.S (Conduct) Rules 1964 under which no Government servant shall bring or attempt to bring any political or out side influence to hear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumes that Sri K.Harinath, Deputy Executive Engineer(M), Ananthapur and the then Deputy Executive Engineer (AM), Kadapa is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P.C.S. Conduct Rules 1964.

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7. The receipt of the G.O may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L.PREMACHANDRA REDDY,
SECRETARY TO GOVERNMENT (AM&C)

To
Sri K.Harinath, Deputy Executive Engineer(M),
Ananthapur and the then Deputy Executive Engineer (AM), Kadapa
Copy to:
The Commissioner& Director of Agricultural Marketing,,AP.,Hyd.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-I

Statement of Article of Charges framed against Sri K.Harinath, Deputy Executive Engineer(M), Ananthapur and the then Deputy Executive Engineer(M), Kadapa.

Article of Charge 1: Sri K.Harinath, Deputy Executive Engineer(M), Ananthapur while he working as Deputy Executive Engineer(M), Kadapa committed **irregularities in execution of the works in Kadapa. Ie.,Failed to bring the Notice of the Agricultural Market Committee towards splitting of works.**

Article of Charge 2 : Sri K.Harinath, Deputy Executive Engineer(M), Ananthapur while he working as Deputy Executive Engineer(M), Kadapa committed **irregularities in execution of the works in Kadapa. Ie., Not objected in works Sub - Committee towards allotment of two or more works to the same contractor.**

By his above mentioned acts , he has exhibited lack of integrity, devotion to duty and unbecoming of a Government Servant and hereby violated Rule 3(i) of the AP Civil Services (Conduct) rules, 1964.

L.PREMACHANDRA REDDY,
SECRETARY TO GOVERNMENT (AM&C)

ANNEXURE-II

Statement of imputations of misconduct and irregularities in support of Article of Charges framed against Sri K.Harinath, Deputy Executive Engineer(M), Ananthapur and the then Deputy Executive Engineer(M), Kadapa

The Vigilance & Enforcement officials have inquired into the allegations levelled on irregularities in Engineering Wing of AP Marketing Department and submitted report to the Government. The following are the lapses, irregularities noticed during the inquiry.

(1) The works are not being split after according Administrative approvals for the works. But the works are being split, while sending the proposals by the authority of AMC for according Administrative sanction, which is not correct.

(2) Only an amount of Rs.2.00 Lakhs under MPLAD scheme was issued to the Executive Engineer, Marketing, Kadapa and the AMC funds are being deposited in the account of AMCs concerned.

(3) Advertisement charges were not paid for pasting posters of minimum support price on RTC Buses in the jurisdiction of Chittoor and Kadapa Districts.

(4) Only one set of cement concrete cores extracted from the C.C.roads of Bangarupalem Market Yard have satisfied the average compressive strength criteria of M25 Grade of concrete specified for the C.C.roads. Five sets have not satisfied the average compressive strength criteria of M25 grade of concrete.

(5) The cost of rejected C.C.roads of the Market Yard, Bangarupalem on account of not satisfying M25 grade of concrete specified for th work is works out to be Rs.20,60,458/-.

(6) The C.C.Roads of AMC,Mandapapalli have satisfied average compressive strength criteria of M25 grade of concrete against M25 grade of concrete specified for the work.

(7) For most of the works, Insurance policies were not taken and the Superintendenting Engineer, Marketing, Hyderabad has been concluding the Agreements without taking insurance policies.

(8) The Executive Engineer has not check measured any of the work and recommended for payment. There is no check measurement even for the works directly recorded by the Deputy Executive Engineer.

(9) The Executive Engineer has issued a notice to the contractor ie., M/s.Srinivasa Construction, D.No.11/270-1, .K.Palle, Mandapalli,Chittoor District as there was no response to th notice issued by the Superintendenting Engineer from the contractor to rectify the defective concrete.

(10) The Executive Engineer has super checked the CC Pavements of Bangarupalyam Market Yard in Chittoor District after rectification of defective concrete by the contractor. Further, the Executive Engineer withheld an amount of Rs.10,22,000/- at about 20% of value of M-25 grade concrete inspite of rectification of defective concrete by the contractor for want of ATR from Vigilance & Enforcement Department.

(11) Though, the selection of contractors for entrustment of works on nomination basis upto works costing Rs.3.00 Lakhs is a combined decision taken in the works subcommittee comprising of Chairman, ADM & Dy.E.E. concerned, the role of Dy.E.E. is to ascertain the technical feasibility of the contractor for effective execution works entrusted and the role of ADM is to see that, the proposed work is needful or not.

(12) Sri K.Harinath, Dy.E.E.,AM Dept.,Ananthapur and the then Dy.E.E ,AM Dept.,Kadapa & Sri P.V.Nagesh,Dy.E.E. AM Dept, Kadapa and the then Dy.E.E,AM, chittoor have failed to bring it to the notice of the AMC against splitting of works and also not objecting in works subcommittee towards allotment of two or more works to the same contractor in the same premises of market yard.

(13) G.O.Ms.No.109, dt.31.5.2007 was not followed by AMC,Assistant Director of Marketing & Dy.E.Es concerned.

(14) In view of the above, the following irregularities noticed against Sri K.Harinath, the then Dy.Executive Engineer, Ananthapur :-

(i) Failed to bring the Notice of the Agricultural Market Committee towards splitting of works

(ii) Not objected in works Sub - Committee towards allotment of two or more works to the same contractor.

(15) From this, it is evident that he has shown gross negligence towards his legitimate duties and violated Rule (3) of APCS(Conduct) Rules,1964.

Hence, the charge.

L.PREMA CHANDRA REDDY,
SECRETARY TO GOVERNMENT (AM&C)

ANNEXURE-III

List of documents on the basis of which the Article of Charges framed against Sri K.Harinath, Deputy Executive Engineer(M), Anathapur the then Deputy Executive Engineer(M), Kadapa

Vigilance Report No.1 (C.No.438/V&E/E1/2010), Dt.01.01.2015 of the General Adminstration(Vigilance&Enforcement) Department.

L.PREMA CHANDRA REDDY,
SECRETARY TO GOVERNMENT (AM&C)

ANNEXURE-IV

List of witness by whom the Article of Charges framed against Sri K.Harinath, Deputy Executive Engineer(M), Ananthapur the then Deputy Executive Engineer(M), Kadapa.

-Nil-

L.PREMA CHANDRA REDDY,
SECRETARY TO GOVERNMENT (AM&C)